

04-1681-CBS

AFFIDAVIT OF SPECIAL AGENT JOHN F. VAN KLEEFF

I, John F. Van Kleeff, being duly sworn, depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), and have been so employed Since August of 1991. I am assigned to the Hudson Resident Agency in Hudson, Massachusetts. In 2001, I was assigned to a Counter Terrorism Squad, part of the Joint Terrorism Task Force ("JTTF"), in the FBI's Boston Office. From early 1996 to 2001, I was assigned to the Drug Squad of the Boston Field Division of the FBI. Previous to being assigned to the Drug Squad, I was assigned to an Economic Crimes Squad. During my employment at the FBI, I have participated in numerous investigations. I have received training in the aspects of investigation of criminal offenses. I have sworn out numerous affidavits in support of search warrants, arrest warrants and other applications.

2. During the course of my employment with the FBI, I have participated in numerous investigations of many types as a case agent and in subsidiary roles.

3. This affidavit is submitted in support of a criminal complaint and arrest warrant charging Richard A. Ramey, a/k/a Tony Ramey, with willfully making threats by telephone to damage and destroy property by means of fire and explosive, in violation of Title 18, United States Code, Section 844(e).

4. This affidavit includes information known to me, as well as information related to me by other agents, either orally or in writing. This affidavit does not include all of the facts of which I or the other agents working with me in this investigation are aware, but instead includes only those which I believe are necessary to establish the requisite probable cause.

5. On the morning of February 12, 2004, the Hudson Police Department contacted the FBI's Hudson Office and reported that ACT ELECTRONICS, INC. ("ACT"), an electronics manufacturing firm located at 108 Forrest Avenue, in Hudson, Massachusetts, received a bomb threat by way of a facsimile ("fax"). The one-page fax provided as follows: "LISTEN UP THIS IS NOT A JOKE THERE IS A BOMB IN THE BUILDING FOR IN FOREST AVE. THE ONLY HINT IS TO MAKE SURE HE DOESN'T OPEN THE WRONG BOX IN THE SHIPPING OR RECEIVING DEPT. GOOD LUCK SIGN FORMER EMPLOYEE."

6. The fax had no cover sheet, nor any indication of authorship. The header at the top of the page reflected the date and time of receipt as "02/12/2004" and "07:08." The recipient fax machine, with telephone number (978) 562-1508, is located at ACT's Cabot Road location, in Hudson, Massachusetts.

7. On February 12, 2004, ACT received a second, and similar, bomb threat, by way of fax, at its facility located in Corinth, Mississippi. The fax provided as follows: "This is for real There is a bomb in the forest ave, building the one clue is don't

let them open the wrong box Make sure you shipper and receiver are both ready for a big surprise. Good luck".

8. The second fax had no cover sheet, nor any indication of authorship. The header at the top of the page reflected the date and time of receipt as "2/12/2004" and "08:05." The recipient fax machine, with telephone number (622) 665-3001, is located at ACT's facility in Corinth, Mississippi.

9. On February 12, 2004, FBI Special Agent Joseph H. Altman and I responded to the ACT facility in Hudson, Massachusetts. The Massachusetts State Police Bomb Unit, the Hudson Police Department, and the Hudson Fire Department were on the scene when we arrived. The Massachusetts State Police Bomb Unit utilized K-9s to sweep the ACT facility and nearby United Parcel delivery trucks for evidence of an explosive device. That search turned up negative results.

10. On February 12, 2004, I contacted Verizon in order to determine the telephone number(s) and locations of the fax machine(s) from which the threats originated ("the sending fax(es)"). Based on my knowledge, training, and experience, I know that the telephone system is an instrumentality of interstate commerce. Verizon reported that several numbers connected to the recipient fax, (978) 562-1508, including (978) 562-4502, which was identified by George Burdette, the Corporate Director of Human Resources at ACT, as the fax number of a fax

machine located in another building at ACT's Forest Avenue facility, in Hudson, Massachusetts. An activity log from the (978) 562-4502 fax machine disclosed that a fax was sent at "7:08 AM" to fax number "978-562-1508" (the recipient fax at ACT's Hudson, MA facility) and "8:05 AM" to fax number "662-665-3001" (the recipient fax at ACT's Mississippi facility). Based on the activity logs, it was evident that the bomb threats originated from the same sending fax.

11. Subsequently, I asked George Burdette to search all wastebaskets in the area of the sending fax machine. On February 13, 2004, George Burdette told me that a shredder basket contained what appeared to be paper remnants of the bomb threats. On my instruction, Mr. Burdette secured the shredder in a locked room. On February 17, 2004, FBI Special Agent Altman and I conducted a preliminary inspection of the shredder and shredder bin. Clearly visible among the strips of paper were words which I recognized as consistent with the bomb threat documents. I took photographs and seized the strips of paper as evidence.

12. On February 17, 2004, Special Agent Altman and I interviewed Alice Rezendes, of ACT, who is a program manager and is employed at ACT's Forrest Street facility. Ms. Rezendes's work area is located approximately five feet from the sending fax. Ms. Rezendes reported to us that she saw fellow employee Richard A. Ramey faxing a document from the fax machine on the

morning of February 12, 2004, between 7:30 AM and 8:15 AM. Rezendes reported that she did not see anyone else by the fax machine between 7:00 AM and 8:15 AM on the morning of February 12, 2004.

13. FBI Special Agent Altman reported to me that Richard A. Ramey has previously been convicted of communicating a false bomb threat. A Westboro District Court judgment confirmed that on or about February 28, 1995, Richard A. Ramey was found guilty of communicating a false bomb threat, in violation of Massachusetts General Laws, Chapter 269, Section 14.

14. On February 19, 2004, FBI Special Agent Altman, Hudson Detective Charles T. Devlin, and I interviewed Richard A. Ramey, at ACT's offices, in Hudson, Massachusetts.

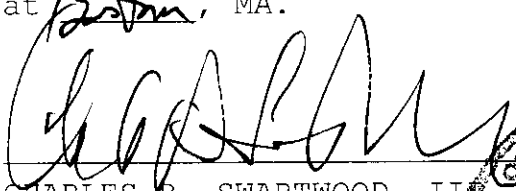
15. I informed Ramey of the purpose of our visit. I also informed him that he was not under arrest. Further, I administered a Miranda warning to Ramey. Ramey agreed to speak with us and signed a written waiver, a copy of which is attached hereto as Exhibit A. Initially, Ramey denied any knowledge of the bomb threats. I confronted him with the evidence of his involvement. At this point, Ramey admitted that he sent the bomb threats. Thereafter, Ramey provided me with a written statement in which he admitted that he faxed the bomb threats to ACT locations in Hudson, Massachusetts and Mississippi. A copy of Ramey's statement is attached hereto as Exhibit B.

16. Based on the foregoing facts and circumstances described in this affidavit along with my training, experience, and consultations with others, there is probable cause to believe that Richard A. Ramey aka Tony Ramey, on or about February 12, 2004, at Hudson, Massachusetts, and elsewhere, did, through the use of the telephone or other instrument of interstate commerce, or in or affecting interstate commerce, willfully make a threat and maliciously convey false information knowing the same to be false, concerning an attempt and alleged attempt being made, and to be made, unlawfully to damage and destroy any building by means of fire and explosive, in violation of Title 18, United States Code, Section 844(e).

Subscribed on this the 25th day of February, 2004, at Boston, Massachusetts.


JOHN F. VAN KLEEFF
Special Agent
Federal Bureau of Investigation

Sworn and subscribed to before me this 25th day of February, 2004 at Boston, MA.


CHARLES B. SWARTWOOD, II
UNITED STATES MAGISTRATE JUDGE

